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#### FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554

2 MAR 1993

IN REPLY REFER TO: 7330-7/1700A3 EIVED

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FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECHETARY

Honorable Max Baucus United States Senate Washington, D.C. 20510

Dear Senator Baucus:

This is in reply to your letter of February 12, 1993, in which you inquired on behalf of your several of your constituents regarding the <u>Notice of Proposed</u>
Rule Making (<u>Notice</u>) in PR Docket No. 92-235, 57 FR 54034 (1992). This <u>Notice</u> proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take your constituents' conerns into account when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest. Your constituents' letters will be included in the record of the proceeding. We expect final rules to be issued in 1994.

Sincerely,

Richard J. Shiben

Chief. Land Mobile & Microwave Division

Private Radio Bureau

Enclosures

cc: `

Chief, PRBureau Chief, LM&MDivison Docket Files, Room 222 P&P Branch File (Pink)

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PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS, AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/18/93

#### LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857
9300698	02/18/93	02/12/93	03/03/93	
TITLE	MEMBERS	NAME	REPLY FOR	SIG OF
Senator	Max Baucu	3	BC	
CONSTITUENT'S NAME		SUBJECT		
several	inq.	comments on PR I	Docket 92-23	35
REF TO	REF TO	REF TO	REF	TO
PRB/KMM 2-19-93		<u></u>		
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02/18/93			<b></b>	

**REMARKS:** 

MONTANA TOLL FREE NUMBER

## United States Senate

WASHINGTON, DC 20510-2602

February 12, 1993



Mr. Stephen Kletzman
Associate Director of Legislative Affairs
Federal Communications Commission
1919 M Street N.W. Room 808
Washington, D.C. 20554

Dear Mr. Kletzman:

I am writing to you in order to express my concern over the Notice of Proposal Rule Making (NRPM) Docket 92-235. My office here in Washington has received many letters urging that I look into this matter.

In the past, the safe use of radio controlled planes, boats, and cars by remote controlled model enthusiasts has been guaranteed by Part 90. This allowed for a 10 KHz spacing between frequencies found in the 72-76 MHz band. I was alarmed to find that P.R. 92-235 replaces Part 90 of the rules with Part 88. Part 88 leaves only a 2.5 KHz barrier between fixed commercial users and frequencies used by remote control enthusiasts.

This act may effectively limit the safe use of frequencies available for this popular hobby and unnecessarily restrict a sport that brings enjoyment to hundreds of thousands of Americans.

I am enclosing a sample group of letters we received. Please give them your immediate attention.

With best personal regards, I am

MSB/dwf Enclosure

١.

Roc W. Lee 2813 51 St. West Billings, Montana 59106

The Honorable Max Baucus United States Senate Washington, D.C. 20510

Re: NFRM-PR Docket 92-235

Dear Senator Baucus.

I'm writing this letter referring to the above docket for your help in defeating this ruling prodosed by the FCC. As an active RC (Radio Controlled) mode! participant I am very concerned about the safety and liability of this

am very concerned about the safety and liability of this proposal. RC modeling is a sport enjoyed by people of all ages, incomes, and depths of involvment. Due to the speeds and close proximity of these models, strict rules of conduct and courtesy are adhered to and enforced to ensure the safety of the public and the participants. Introduction of this ruling would essentially eliminate any confidence of safety transmitting FCCILE frequencies between those that are presently used.

Economics will be very important in this issue. RC electronics will have to be more precise in frequency transmission and reception, involving a disproportinate cost in altering present equipment and purchasing new. Consequently less people will be able to afford the sport which will affect the retailers in our communities. Again. I urge your support in defeating this ruling.

Sinceraly,

Rod W. Las



# ROBBINS CO.

January 26, 1993

93 FEB -3 AH 11: 56

The Honorable Max Baucus United States Senate Washington, D.C. 20510

Dear Mr. Baucus,

It has recently come to my attention that the Federal Communications Commission (FCC) is considering an action that will severely limit and potentially eliminate a very important hobby of mine.

The Notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of the FCC rules with a new Part 88. Part 90 allows for the safe use of R/C aircraft and surface models by keeping 10 kHz spacing between frequencies used by fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 kHz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 MHz band and 10 of the 30 frequencies on the 75 MHz band now being used by hobbyists.

This action will have a severe detrimental impact upon me and the entire nation wide R/C industry. If put into effect, my model aircraft could have it's flight abruptly interrupted (resulting in a crashed aircraft) by a mobile user, who's presence I'd have now way of knowing of. When one considers the average cost of today's modern R/C aircraft at \$500.00-\$1,500.00 and 100-200 hours of construction time, the personal and collective losses could be staggering, not to mention the potential for personal injury from an out of control aircraft (today's R/C aircraft weigh from 7-30 lbs. and almost all travel well in excess of 100 m.p.h.). Safety; the number one consideration of the hobby could be reduced to a virtual game of roulette.

I've been involved in this hobby for several years. I have thousands of dollars and hours invested. If put into action the new Part 88 will have a catastrophic effect on my life long form of entertainment and relaxation.

I urge you to NOT allow the FCC to carry out it's proposal PR Docket 92-235 for the 72-76 MHz band. Keep 10 kHz spacing between all frequencies on 75 MHz and 72 MHz bands available for use by R/C enthusiast. Please don't allow the FCC to eliminate this hobby, which has provided so much enjoyment, for so many, for so many years.

Thank you for your consideration.

Sincerely,

Ken Robbins

93 FEB -3 PM 12: 00

January 29, 1993

The Honorable Max Bacus United States Senate Washington, D.C. 20510

Dear Senator Bacus.

I am writing in regard to PR Docket 92-235. I am the golf course superintendent at the Missoula Country Club, and I fly radio control model airplanes as a hobby. At work we use 2-way radios in the 72 MKz band, and my model airplane radios also use part of this frequency.

My investment in model airplane equipment and radio control electronics is in excess of \$2,000. I take great pride in this hobby, and have a real concern for safety. The FCC (PR Docket 92-235) is proposing to add several new frequencies for commercial use in very close proximity to our model airplane frequencies. This may result in problems for both the commercial user and the modeler alike. However, the potential for damage or personal injury as a result of an out of control model is obviously more significant than static on a 2-way radio.

I am not well versed in the details of PR Docket 92-235. The Academy of Model Aeronautics (AMA) has asked it's members to contact you, and express our concern. I hope you will look into this issue, and support that which makes the most sense. I would only ask that you insist on a reasonable margin of safety between users. I hope this can be done without forcing us modelers to purchase new and expensive radios that are capable of transmitting within the new frequency specifications. Only a few years ago, the FCC made 3 of my radios obsolete by changing the frequency specifications. The cost to replace those radios was approximately \$600.

Thank you for your time and consideration.

Heselwood

Sincerely,

Jon Heselwood 115034th St Apt 10A

Missoula, MT 59801

SUFEB -3 AMII ES

929 Dixon St. Billings, Montana 59105 January 28,1993

The Honorable Max Baucus United States Senate Washington, DC 20510

Dear Senator Max Baucus:

I am very active in the building and flying of radio controlled model airplanes. With the speed of my racing planes approaching 200 MPH, I am always concerned with the safety of myself and spectators. My total investment is around \$20,000. As you can see, this is a very serious hobby for me.

I am very concerned about the proposed rule that is currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted the new rule will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

Our radio-control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio-control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The Notice of Proposed Rule Making (NPRM) in Docket 92-235 replaces Part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 Khz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us, elimanting safe use of at least 31 of the 50 channels on the 72 MHz band (for R/C aircraft) and 10 of the 30 frequencies on the 75 MHz band (for R/C cars and boats) now used by hobbyists. In fact, more channels will likely be affected.

When we operate our R/C models, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

I don't think it is wise of the FCC to seek to expand the operation conditions of land mobile radio users at the expense of the radio-control modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. It is a sizable industry that must be saved from these detrimental FCC actions. The hobby provides many

hours of enjoyment to hundreds of thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me to continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72-76 MHz band. We all need your help urgently because the FCC has a deadline of February 26,1993 after which it may become more difficult to halt these proposals from going into effect.

Sincerely,

Larry G. Allred

The Honorable Max Baucus U.S. Senate Washington, DC 20510

93 FET 11 11 12: 28

Dear Senator:

For the past two years I have been involved in a new hobby which I enjoy very much and can't understand why I didn't pursue many years ago. This hobby is Radio Control Modeling. I belong to the local club here in Billings. There are many different kinds and sizes of model aircraft used in this hobby. My primary interest is helicopters but I am presently considering building a fixed wing model. There are also many facets to this hobby which make it attractive to many different kinds of people. Design, construction, operation, competition and comradery are a few areas of the hobby.

The Federal Communications Commission is presently considering the addition of some land mobile frequencies that fall in the frequency band of our model radio control equipment. The above mentioned proposal is covered as PR Docket 92-235. Without getting into much detail, out of the 50 channels available to us and presently being used, there will only be 19 channels unaffected by this proposal. The new frequencies will be located adjacent and dangerously close to many of our existing frequencies. Radio Control of models has always been somewhat risky due to all of the different spurious frequencies that can be generated around our country that fall in our frequency band of operation. Most RC Clubs and RC Pilots take this problem very seriously and go to extremes to locate our air fields in safe and remote areas to prevent any problems. As I mentioned earlier, the FCC is considering Land Mobile use for these frequencies. The term "Mobile" spells disaster for us because that means a mobile unit using a frequency adjacent to ours and of significantly higher power can move into our area of operation at any time unannounced. I think you should realize that, for the most part, the radio equipment we use now is very good equipment. I will mention also that it isn't real cheap. We realize that it can't be too inexpensive and still be trustworthy enough to put into a model, that in itself is worth a fair amount of money and many hours of construction. Another point that should be made here is the safety of operating these models. We use every means to insure the pilots, observers, and property are in no danger during the operation of our models. You can imagine what a mobile radio operating in our area could cause. I'm informed that a radio for our use that may (no guarantees) allow us to operate in these conditions would cost in the range of \$1400 for the most basic configuration. As you can imagine, this is totally unacceptable for the greater percentage of our people. Many people who enjoy this hobby are retired and this

would certainly mean the end of flying for them. Our other option for some at least is to change channels of our existing radios to the unaffected 19 channels. This is expensive in itself, but just as important, causes major congestion on those channels when you consider the number of people operating their models at the same location and time. I've worked in the communication field for 21 years and understand the problems in coordinating frequencies for everyone's use. But I also know that there are unexpected problems that exist among radio users brought on by channel congestion, etc. Usually when these problems surface in the field, they are no more than some form of irritating interference that you hear coming out of your two-way radio speaker and usually, with a little work and cooperation of the parties involved, the problem is solved. Senator, please realize that will not be the case with Radio Control Interference. There will surely be severe equipment damage and loss. More importantly, there is the possibility of serious personal injury.

There are many people that feel as strongly as I do about this proposal and we all hope that you will hear us and don't allow the FCC to follow through with this proposal.

As a communication technician of 21 years, I certainly feel there is a better solution.

Sincerely,

Joe E. Neville